



Fees and Charges Report

Date: April 4, 2024

To: Audit, Finance, and Enterprise Committee

Through: Scott Butler, Assistant City Manager

From: John Tatz, Presiding City Magistrate
Shawn Haught, Court Administrator

Subject: Municipal Court Department Update to Schedule of Fees and Charges, Citywide

Purpose and Recommendation

The Municipal Court recommends that the Preparation of Transcript fees be changed from \$5.00 per page for paper copies to \$4.10 per minute for electronic PDF documents. If approved by City Council, the change will be effective July 1, 2024.

Background

When an appeal is filed, and the length of trial is 90 minutes or more, the transcript must be submitted to the Superior Court. The court captures the audio of the trial proceedings to determine the length of trial and estimated cost of the transcript. A letter with the estimated cost of the transcript and a due date to pay the transcript fees is mailed. A defendant may request a waiver or reduction of transcript fees. If granted by the judge, the waived or reduced fees are paid by the court. If waived or paid, the transcript request is sent to the vendor.

The Preparation of Transcript is the record of the court proceeding that is transcribed by an authorized transcriber. The Court uses a third-party vendor to provide transcription services. The fees are established by the vendor, then passed along to the party that filed the appeal (Appellant). Reasons to appeal a case vary. The defendant may appeal a conviction, or the state may appeal a judgment of acquittal after a guilty verdict from the trial court.

The Superior Court changed the process from paper to electronic PDF transmissions. Effective September 13, 2022, per Administrative Order 2022-114, the Superior Court implemented a pilot program for the Transmittal of Records to be submitted by electronic PDF using the Lower Court of Appeals (LCA) Electronic Transmission of the Record Portal. Although the vendor always had an option to provide electronic PDF and paper copies of transcripts, the Superior Court previously required that the paper transcript be submitted.

Discussion

The electronic copy saves on paper costs and accelerates the turnaround time. The audio is uploaded to the vendor's platform. The vendor transcribes and returns the transcript electronically in PDF format to the court. Previously, the court had to obtain three copies of the printed transcript: one for the State, one for the Defense, and one for the Superior Court. The printed transcript was delivered by U.S. Mail to the Defense and Superior Court. With this change to the electronic PDF format, the court only receives one copy of the PDF transcript. The court emails a copy to the State and Defense and uploads a copy to the Superior Court LCA Electronic Transmission of the Record Portal. This change in electronic transmission impacts the customer by maintaining judicial efficiency and saves money by eliminating the cost of postage and lowers transcript costs. For example, the transcript for a 2-hour trial would cost \$600.00 for the two paper copies. Now with electronic PDF transmission, the transcript for a 2-hour trial costs \$498.00.

Methodology

Prices are set per the vendor contract. Prior to electronic PDF transmission of the transcripts, the Appellant (defense or state) would pay for two copies and the Appellee (Respondent) would pay for one copy. With the electronic PDF transcripts process, the Superior Court only needs to receive one copy, thus saving money. The Municipal Court does not keep a portion of the fee.

Over the last three fiscal years, the Court has had an average of seven cases transcribed (ranging from six to nine per year), averaging \$633 per case. Based on these calculations, the Court estimates an \$800 decrease in revenue.

Alternatives

The alternative is no change to the current fee schedule, which is both less efficient and costs more.

Fiscal Impact

The fiscal impact is an estimated decrease in transcription fee revenue and expenditures by \$800. However, the actuals will vary depending on the number of trials resulting in appeals.

The cost of transcript fee depends on the length of the trial. Each trial is unique with varying durations. It is impossible, with any precision, to determine the cost of the transcript. The entire fee is collected by the Municipal Court and paid to the contracted vendor.

Coordinated With

Coordinated with the Office of Management and Budget.

Fees & Charges Schedule – Key

Heading Configuration

<u>Schedule of Fees & Charges</u>
Department
Contact Information
HEADING 1
HEADING 2
<i>Heading 3</i>
Description of Fee
Description of Fee 2

Font Indications

Font	Font Indications
Regular Font	Existing fee or language
Strikethrough	Fee or language will be deleted from the Fee Schedule
BOLD CAPS	Language is being added to Fee Schedule
Bold	New or increased Fee Amount

Schedule of Fees & Charges

Exhibit A – Transcription Fee

Department: Municipal Court

Description of Service	Current Fee Range	Proposed Fee Range	Unit	Revenue Source Code	Total Fiscal Impact	Notes
Preparation of Transcription	\$5.00	\$4.15	Per Page PER MINUTE FOR PDF DOCUMENTS	1101-4399	-\$800.00	A decrease in revenue and expenditures based on requests for transcript preparation.

Estimated Total Annual Fiscal Impact: -\$800.00